

Honorable Salvador Mendoza, Jr.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
AT SPOKANE

TYLER JAMES THOMAS
LANKFORD,

Plaintiff,

vs.

CITY OF PULLMAN; COUNTY OF
WHITMAN; STATE OF
WASHINGTON; OFFICER JOSHUA
BRAY; OFFICER ALEX GORDON;
DETECTIVE TODD DOW; OFFICER
GREG UMBRIGHT; OFFICER JUSTIN
DEROSIER; OFFICER MIKE
PETLOVANY; OFFICER BRIAN
CHAMBERLAIN; SERGEANT SAM
SOREM; and DOES I-X,

Defendants.

) Case No. 2:16-cv-00377-SMJ

) **DECLARATION OF DARRYL
PARKER IN SUPPORT OF
PLAINTIFF'S COUNTER
MOTION FOR PARTIAL
SUMMARY JUDGMENT AND IN
OPPOSITION OF DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT**

I, Darryl Parker, declare:

1. I am a member of the Bar of the State of Washington and am admitted
to practice before this Court. I am the founder of the law firm of Civil Rights

DECLARATION OF DARRYL PARKER IN SUPPORT OF
PLAINTIFF'S COUNTER MOTION FOR PARTIAL SUMMARY
JUDGMENT AND IN OPPOSITION OF DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT - I
Case No. 2:16-cv-00377-SMJ

Civil Rights Justice Center PLLC
2150 North 107th Street, Suite 520
Seattle, Washington 98133
(206) 577-7719 / Fax: (206) 659-0183

1 Justice Center, PLLC and am counsel of record for plaintiff Tyler James Thomas
2 Lankford herein. I submit this Declaration in support of plaintiff's motion for
3 partial summary judgment and in opposition of defendants' motion for summary
4 judgment. I have personal knowledge of the following facts.
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7 2. During discovery to the City of Pullman, my office requested and
8 received from defendant body camera video and audio for July 26, 2015 through
9 July 28, 2015, that was connected to this issue. We also received all reports from
10 law enforcement that are associated with this event.
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13 3. A true and correct copy of the Sherry Bailey/Sam Sorem video
14 interview, recorded via Sam Sorem's body camera and produced by City of
15 Pullman Police Department, is attached to this declaration as Exhibit "A," and is
16 incorporated by reference herein.
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19 4. A true and correct copy of the Sam Sorem Narrative is attached to this
20 declaration as Exhibit "B," and is incorporated by reference herein.
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23 5. A true and correct copy of the audio call between Kathleen Lynch and
24 the Dispatcher, recorded by the City of Pullman Police Department, is attached to
25 this declaration as Exhibit "C," and is incorporated by reference herein.
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28 6. On February 16, 2017, I took the deposition of Sam Sorem. A true
29 and correct copy of excerpts of the transcripts of his deposition is attached to this
30 declaration as Exhibit "D," and is incorporated by reference herein.

1 7. A true and correct copy of each of the phone call between Sherry
2 Bailey, Joshua Bray, and Alex Gordon, and a true and correct copy of the phone
3 call between Kathleen Lynch, Joshua Bray, and Alex Gordon, audio recorded by
4 the City of Pullman Police Department, with additional audio recording played for
5 the officers over the phone that was recorded by Kathleen Lynch, is attached to this
6 declaration as Exhibit "E," and is incorporated by reference herein.
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10 8. A true and correct copy of the phone call between Kathleen Lynch
11 and Alex Gordon, audio recorded by the City of Pullman Police Department, with
12 additional audio recordings played for the officer over the phone that were
13 recorded by Kathleen Lynch, is attached to this declaration as Exhibit "F," and is
14 incorporated by reference herein.
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18 9. A true and correct copy of the Joshua Bray narrative is attached to this
19 declaration as Exhibit "G," and is incorporated by reference herein.
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21 10. A true and correct copy of the Pullman Police Department Threat
22 Assessment of Tyler Lankford is attached to this declaration as Exhibit "H," and is
23 incorporated by reference herein.
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26 11. A true and correct copy of the Supplement of Alex Gordon is attached
27 to this declaration as Exhibit "I," and is incorporated by reference herein.
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1 12. On February 16, 2017, I took the deposition of Joshua Bray. A true
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3 and correct copy of excerpts of the transcripts of his deposition is attached to this
4
5 declaration as Exhibit "J," and is incorporated by reference herein.

6 13. A true and correct copy of the July 27, 2015 video of Tyler Lankford
7
8 being taken into protective custody, video recorded by the City of Pullman Police
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10 Department, is attached to this declaration as Exhibit "K," and is incorporated by
11
12 reference herein.

13 14. On April 28, 2017, defendant Bray responded to Plaintiff's First
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15 Requests for Admission to Joshua Bray. A true and correct copy of the document is
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17 attached as Exhibit "L," and is incorporated by reference herein.

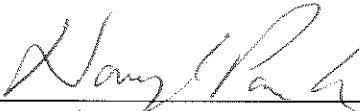
18 15. On April 28, 2017, defendant Gordon responded to Plaintiff's First
19
20 Requests for Admission to Alex Gordon. A true and correct copy of the document
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22 is attached as Exhibit "M," and is incorporated by reference herein.

23 16. A true and correct copy of the Moscow Police Department LAW
24
25 Incident Table is attached as Exhibit "N," and is incorporated by reference herein.

26 17. On October 9, 2017, I took the deposition of Michael Petlovany. A
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28 true and correct copy of excerpts of the transcripts of his deposition is attached to
29
30 this declaration as Exhibit "O," and is incorporated by reference herein.

1 I declare under penalty of perjury that the foregoing is true and correct.

2
3 Executed in Seattle, Washington on the 3rd day of November, 2017.

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5 
6 _____
Darryl Parker

CERTIFICATE OF SERVICE

I, Rachelle Stefanski, under penalty of perjury under the laws of the State of Washington, declare as follows:

I am a resident of the State of Washington, over eighteen years of age, and not a party to the within action. I hereby certify that on November 3, 2017, I electronically filed the foregoing DECLARATION OF DARRYL PARKER IN SUPPORT OF PLAINTIFF'S COUNTER MOTION FOR PARTIAL SUMMARY JUDGMENT AND IN OPPOSITION OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT with the Clerk of the Court using the CM/ECF system which will send notification of the filing to all counsel of record.

Executed on November 3, 2017, at Seattle, Washington.


Rachelle Stefanski, Legal Assistant